



#5
EVO52702313

1
2 Serial No. 09/817,902
3 Filing Date 03/26/01
4 Inventorship Novak et al.
Applicant Microsoft Corporation
Attorney's Docket No. MS1-786US
Title: Methods and Systems for Synchronizing Visualizations with Audio Streams

5
6 **RENEWED PETITION UNDER 37 C.F.R. 1.47(a)**

7 Applicant previously filed a petition on November 29, 2001 indicating that a joint
8 inventor, Mr. Chris Feller, had indicated that he did not intend to sign the oath or
9 declaration in this application. Subsequently, a Decision Refusing Status was issued by
10 the Patent Office because, *inter alia*, it had not been demonstrated that there had been a
11 bona fide attempt to provide the inventor with a copy of the application papers. In
12 accordance with the statements below, and the accompanying email copy, Applicant
13 respectfully requests reconsideration of the Decision Refusing Status.

- 14
- 15 1. Attached to this Renewed Petition is a copy of an email thread between Applicant
16 and the non-signing inventor, Chris Feller.
 - 17 2. On November 7, 2001, Jane Stafford, an employee in Applicant's legal
18 department, sent Chris Feller an email notification having attached the subject
19 patent application bearing attorney docket number ms1-786.
 - 20 3. On November 8, 2001, Mr. Feller responded that "[u]pon further reflection, I'm
21 going to decline signing the patent application. You can remove my name from
22 them."
- 23
24
25

RECEIVED
FEB 26 2002
OFFICE OF PETITIONS

Hence, in view of the above statements and accompanying email thread,
Applicant made an attempt to provide the non-signing inventor with a copy of the
patent application. That copy was sent via email and received by the inventor.

---The inventor then subsequently responded that he would not sign the application.

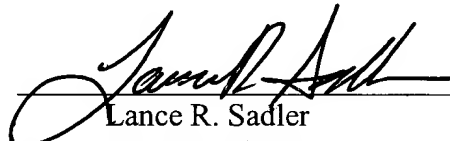
I hereby declare that the statements made herein of my own knowledge are true.

It is respectfully requested that this Renewed Petition under 37 C.F.R. 1.47(a) be
granted.

Respectfully submitted,

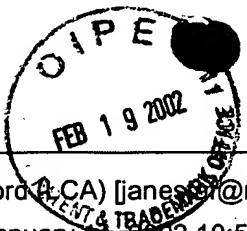
Date:

2/18/02


Lance R. Sadler
Reg. No. 38,605

Lee & Hayes, PLLC
421 W. Riverside Avenue, Suite 500
Spokane, Washington, 99201
(509) 324-9256

Dana Calhoun



From: Jane Stafford (LCA) [janestaff@microsoft.com]
Sent: Monday, January 14, 2002 10:59 AM
To: Dana Calhoun
Subject: FW: Patent Applications 94188.1 150644.1

-----Original Message-----

From: Chris Feller [mailto:brataccas@mac.com]
Sent: Thursday, November 08, 2001 7:50 AM
To: Jane Stafford (LCA)
Subject: Re: Patent Applications 94188.1 150644.1 150649.1

Hi Jane,

Please disregard my last mail. Upon further reflection, I'm going to decline signing the patent application. You can remove my name from them.

Thanks!

Chris

On Wednesday, November 7, 2001, at 04:29 PM, Jane Stafford (LCA) wrote:

Hi Chris. Attached are the two (sorry, I said three on the phone) patent applications on which you were listed as an inventor. If you could provide me with your mailing address and your citizenship I can complete this information on the formal papers prior to your signing. I am not sure if you've been on applications w/Microsoft before, but a VERY brief description of the formal papers: Each application has two papers to be signed, The Assignment and The Declaration. Essentially (although you will still read prior to signing) The Assignment assigns your invention to Microsoft, while The Declaration declares you as an inventor.

Please let me know what times will work for you. I can leave the papers with our receptionist if I am not here. Let me know if you have any questions.

<<ms1-788us.pat.app.doc>> <<ms1-788us.drawing.vsd>> <<ms1-786us.p01.doc>> <<ms1-786us.drawing.vsd>>

Thanks.

1/14/2002

Jane Stafford

Patent Group 113/1118

425.705.5314

1/14/2002



EVO 52702313

PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/817,902
Filing Date	Mar 26, 2001
First Named Inventor	Dideriksen
Examiner Name	
Group Art Unit	
Attorney Docket No.	MS1-786US

TOTAL AMOUNT OF PAYMENT (\$)

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 12-0769
Deposit Account Name: Lee & Hayes, PLLC

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims: - 20** = X =
Independent Claims: - 3** = X =
Multiple Dependent Claims: =

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type) Lance R. Sadler

Signature

Registration No. (Attorney/Agent)

38,605

Complete (if applicable)

Telephone (509) 324-9256

Date

2/18/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



02-25-02

DAC

Please type a plus (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/817,902
	Filing Date	Mar 26, 2001
	First Named Inventor	Dideriksen
	Group Art Unit	
	Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number MS1-786US

ENCLOSURES (check all that apply)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment / Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s) Sheets
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Renewed Petition Under 37 C.F.R. 1.47(a)
Return Post Card |
|--|--|---|

Remarks

RECEIVED

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

FEB 26 2002

OFFICE OF PETITIONS

Firm or Individual name	Lance R. Sadler
Signature	
Date	2/18/02

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as Express Mail, in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the below-indicated date. The Express Mail No. has also been marked on the listed items.

Express Mail No. E1032702313

Typed or printed name	Dana L. Calhoun
Signature	
Date	2/19/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.